

Message Text

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TO AMEMBASSY MEXICO CITY PRIORITY

UNCLAS STATE 275964

E.O. 11652: N/A

TAGS: CASC, MX(ANDERSON, DONN JOSEPH)

SUBJECT: CASE REVIEW OF ALL AMERICAN PRISONERS IN MEXICO:

-DONN JOSEPH ANDERSON

REF: STATE 194199

PER STARK MATERIAL AND OTHER CONGRESSIONAL INQUIRIES IN FILE, ANDERSON AND FAMILY ALLEGE MISTREATMENT AND DENIAL OF RIGHTS IN HIS CASE. WE WOULD APPRECIATE ACTION OR INFORMATION ON FOLLOWING POINTS;

1. VISITATION/SERVICES: MOTHER COMPLAINS IN STARK MATERIAL SHE FOUND CONOFFS EXTREMELY RUDE, UNCOOPERATIVE AND UNCONCERNED. DEPARTMENT FULLY SATISFIED SERVICES TO ANDERSON AND FAMILY MOST SATISFACTORY AND NOTES THAT MOTHER'S LETTER TO SENATOR PROXMIRE OF SEPTEMBER 6, 1974 MENTIONS THAT A CONOFF AT THE EMBASSY HAS BEEN MOST HELPFUL IN BRINGING HER SON SMALL AMOUNTS OF MONEY AND WAS ESPECIALLY GRATEFUL FOR PHONE CALL THAT HE ARRANGED. THE DEPARTMENT COMMENDS THE CONOFFS FOR THEIR TIME AND ATTENTION

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GIVEN TO REQUESTS MADE BY ANDERSON AND HIS FAMILY IN SUCH

MATTERS AS TRANSFER OF FUNDS, DELIVERY OF MAIL, OBTAINING SPECIAL TELEPHONE PRIVILEGES FOR ARRESTEE, VISITING ARRANGEMENTS AND TRANSFER OF ANDERSON FROM SOLITARY CONFINEMENT IN

CELL BLOCK "N" TO DORMITORY "O". CONOFFS' SCHEDULE OF VISITS TO ANDERSON HAS BEEN SATISFACTORY AND NO FURTHER ACTION REQUESTED.

2. PROLONGED TRIAL DETENTION: WE NOTE THAT AS OF THE SEPTEMBER 1975 ARREST REPORT, ANDERSON IS STILL AWAITING SENTENCING. HAS EMBASSY NOTED ANY APPRECIABLE CHANGE IN LENGTH OF TIME BEFORE SENTENCING OF OTHER AMERICAN PRISONERS SINCE DELIVERY OF PROTEST NOTE OF OCTOBER 16, 1974 IN WHICH ANDERSON'S NAME WAS INCLUDED? IF EMBASSY SATISFIED DELAY REASONABLE, NO FURTHER ACTION REQUESTED; HOWEVER, IF OF OPINION SUCH DELAY VIOLATION ANDERSON'S LEGAL RIGHTS, REQUEST EMBASSY TAKE MATTER UP WITH ANDERSON AND HIS ATTORNEY OF RECORD TO EXPLORE FURTHER APPROACHES TO THIS PROBLEM.

3. ABUSE IN PRISON: STARK MATERIAL AND LETTERS TO CONGRESSMEN REFER TO SEVERE BEATINGS SUFFERED BY ANDERSON AT HANDS OF PRISON GUARDS WHEN HE WAS DISCOVERED PICKING LOCK IN ATTEMPTED ESCAPE, AS WELL AS THREATS BY "MAYORES" THAT HE WOULD BE BEATEN UNLESS HE CAME UP WITH DOLS 2,000 TO RELIEVE HIM OF GRELING WORK DETAIL. PROBABILITY ANDERSON WAS BEATEN WHEN HE WAS DISCOVERED BY GUARD WORKING ON LOCKING MECHANISM OF GATE. HOWEVER, FAMILY ALLEGES BEATING SO SEVERE AS TO CAUSE "BLEEDING FROM ALL OPENINGS OF BODY" WEEKS AFTER ALLEGED ABUSE TOOK PLACE APPEARS UNLIKELY SINCE CONOFF ON VISIT TO PRISON ON JULY 26, 1974 WAS INFORMED BY ANDERSON THAT HE HAD NO PHYSICAL PROBLEMS. EMBASSY IS COMMENDED, HOWEVER, FOR ITS PROMPT ACTION IN PROTESTING BEATINGS TO PRISON OFFICIALS AT TIME OF INCIDENT. WE LOOK TO EMBASSY TO CONTINUE SEEKING REMEDY GENERAL PROBLEM OF ABUSE OF POWER BY "MAYORES".

4. INACTION BY ATTORNEY: EMBASSY FILE INDICATES ANDERSON NO LONGER REPRESENTED BY PUBLIC DEFENDER LIC. JORGE D. LOTELO. IF ANDERSON SO DESIRES, EMBASSY REQUESTED TO UNCLASSIFIED

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ASSIST HIM TO SEEK SERVICES OF ANOTHER ATTORNEY TO PROTECT HIS INTERESTS PRIOR TO SENTENCING, AND AS APPROPRIATE, APPEAL POSSIBILITIES.

5. WORK COMMISSION: FILE INDICATES ANDERSON WORKED IN KITCHEN WITHOUT RECEIVING CREDIT. EMBASSY REQUESTED TO EXPLORE WITH ANDERSON AND PRISON OFFICIALS POSSIBILITY ESTABLISHMENT RECORD OF PREVIOUS WORK PERFORMED AND IF HE

DESires, TO ASSIST IN OBTAINING JOB THAT WILL BE CREDITED
AS COMMISSIONED WORK.

6. POST SHOULD CABLE NO LATER THAN 12/11/75 STATUS OF
ACTIONS INITIATED OR COMPLETED ON ANDERSON. KISSINGER

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